

of constructing and maintaining a recreational trail over that part of the above premises described as follows: the East 78.44 feet of the West 738.44 feet of the North 40 feet of the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4), Section Thirty-three (33), Township One Hundred Sixty-one (161) North, Range Forty-six (46) West. The deed shall be in a form approved by the attorney general and shall provide that the property shall revert to the state when it is no longer used for youth camp purposes.

Sec. 2. This act is effective the day following final enactment.

Approved May 21, 1979.

CHAPTER 117—S.F.No.1376

An act relating to peace officers; authorizing the peace officers standards and training board to receive complaints, require investigations, and hold revocation hearings with respect to statutes or rules it is empowered to enforce; amending Minnesota Statutes 1978, Section 214.10, Subdivision 3, and by adding subdivisions.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1978, Section 214.10, is amended by adding a subdivision to read:

Subd. 4. PEACE OFFICERS STANDARDS AND TRAINING BOARD; RECEIPT OF COMPLAINT. Notwithstanding the provisions of subdivision 1 to the contrary, when the executive director, or any member of the peace officers standards and training board produces or receives a written statement or complaint which arguably alleges a violation of a statute or rule which the peace officers standards and training board is empowered to enforce, the executive director shall convene a subcommittee of the board, consisting of three members, which shall supervise the processing of the complaint. At least two members of the subcommittee shall be board members who are peace officers. The subcommittee shall determine, by majority vote, whether the complaint constitutes reasonable grounds to believe that a violation within its jurisdiction of enforcement has occurred, and to this end shall afford the complaining party, the chief law enforcement officer of the agency employing the peace officer who is a party to the action, and the subject of the complaint a reasonable opportunity to be heard. Complaints determined by the subcommittee to relate to matters within the jurisdiction of another state or local agency shall be referred to that agency for disposition. Complaints determined by the subcommittee to be within the jurisdiction of the board shall be processed in accordance with sections 2 and 3. Any member of the subcommittee may appeal a subcommittee determination pursuant to this section at the next regularly scheduled meeting of the board.

Sec. 2. Minnesota Statutes 1978, Section 214.10, is amended by adding a subdivision to read:

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Subd. 5. PEACE OFFICERS STANDARDS AND TRAINING BOARD; INVESTIGATION. Notwithstanding the provisions of subdivision 2 to the contrary, upon a finding pursuant to section 1 that there are reasonable grounds to believe that a violation of a statute or rule which the peace officers standards and training board is empowered to enforce has occurred, the executive director shall determine whether the matter has been investigated by the appropriate law enforcement agency. If the matter has been investigated, a summary of the investigation, any action taken as a result of the investigation, and any other information requested by the executive director may be supplied to the subcommittee established pursuant to section 1 by the investigating agency within one week of the request. If the matter has not been investigated, or any requested information has not been supplied, the executive director shall order an inquiry by the appropriate law enforcement agency into the allegations of the complaint. A summary of any inquiry so ordered shall be supplied to the subcommittee by the investigating agency within 30 days of the order for inquiry. The subcommittee, by majority vote, may grant an investigating agency a reasonable extension for production of information and reports. Upon consideration of the information supplied by the investigating agency, and any additional information offered by the complainant or the subject of the complaint, the subcommittee shall determine, by majority vote, whether further board action is warranted. The executive director shall immediately notify the chief law enforcement officer of the agency employing the peace officer who is a party to the action of the results of the subcommittee's vote. Any member of the subcommittee may appeal a subcommittee determination pursuant to this section at the next regularly scheduled meeting of the board.

Sec. 3. Minnesota Statutes 1978, Section 214.10, is amended by adding a subdivision to read:

Subd. 6. PEACE OFFICERS STANDARDS AND TRAINING BOARD; SETTLEMENT, HEARING. Notwithstanding the provisions of subdivision 2 to the contrary, upon a finding pursuant to section 2 that further board action is warranted, the executive director of the peace officers standards and training board shall make every effort to resolve grievances or rectify improper activities through education, conference, conciliation and persuasion of appropriate parties.

The executive director shall report to the board the results of his attempts to resolve grievances and rectify improper activities pursuant to the preceding paragraph. The board shall review these results and order further action, including a license revocation hearing to be held in accordance with chapter 15, if deemed necessary. The executive director shall promptly notify the complainant and the subject of the complaint of the final disposition of the matter by the board.

Sec. 4. [214.10] [Subd. 7.] For purposes of sections 1 to 3 of this act the term "appropriate law enforcement agency" means the agency employing the peace officer who is a party to the complaint. In the event all of the peace officers employed by the agency are parties to the complaint, the board shall designate the appropriate law enforcement agency.

Sec. 5. Minnesota Statutes 1978, Section 214.10, Subdivision 3, is amended to read:

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Subd. 3. **DISCOVERY; SUBPOENAS.** In all matters pending before it relating to its lawful regulation activities, a board may issue subpoenas and compel the attendance of witnesses and the production of all necessary papers, books, records, documents, and other evidentiary material. Any person failing or refusing to appear or testify regarding any matter about which he may be lawfully questioned or produce any papers, books, records, documents, or other evidentiary materials in the matter to be heard, after having been required by order of the board or by a subpoena of the board to do so may, upon application to the district court in any district, be ordered to comply therewith; provided that in matters to which the peace officers standards and training board is a party, application shall be made to the district court having jurisdiction where the event giving rise to the matter occurred. The chairman of the board acting on behalf of the board may issue subpoenas and any board member may administer oaths to witnesses, or take their affirmation. Depositions may be taken within or without the state in the manner provided by law for the taking of depositions in civil actions. A subpoena or other process or paper may be served upon any person named therein, anywhere within the state by any officer authorized to serve subpoenas or other process or paper in civil actions, with the same fees and mileage and in the same manner as prescribed by law for service of process issued out of the district court of this state. Fees and mileage and other costs shall be paid as the board directs.

Sec. 6. This act is effective the day after final enactment.

Approved May 21, 1979.

CHAPTER 118—S.F.No.1436

An act relating to human services; altering provisions related to membership of human services boards; establishing procedures for planning by the boards; prescribing additional duties of the state planning officer; providing for reports by the board; amending Minnesota Statutes 1978, Sections 402.01; 402.02; 402.03; 402.04, Subdivision 1; 402.045; 402.05, by adding a subdivision; 402.06; 402.065; 402.07; and 402.095; and Chapter 402, by adding a section; repealing Minnesota Statutes 1978, Sections 402.046; and 402.05, Subdivision 2.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1978, Section 402.01, is amended to read:

402.01 AGREEMENT. Subdivision 1. One or more contiguous counties: ~~having an aggregate population of 50,000 or more persons or three or more contiguous counties~~ situated within the boundaries of the same region designated pursuant to sections 462.381 to 462.396 or chapter 473B, may, by resolution of their county boards of commissioners, designate a human services board having the composition, powers, and duties provided in sections 402.01 to 402.10.

Subd. 2. Any agreement pursuant to subdivision 1 shall be governed by sections 402.01 to 402.10 and section 471.59 provided that a county board may withdraw from the

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